

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

TRISTAN SQUERI, MADELINE McCLAIN, and
GEORGE O'DEA individually, and on behalf of all
others similarly situated,

Plaintiffs,

v.

MOUNT IDA COLLEGE, THE MOUNT IDA
COLLEGE BOARD OF TRUSTEES, BARRY
BROWN, individually and as a representative of
Mount Ida College, CARMIN C. REISS, individually
and as a representative of the Mount Ida College
Board of Trustees, JASON POTTS, individually and
as a representative of Mount Ida College, JEFF
CUTTING individually and as a representative of
Mount Ida College, and RON AKIE, individually and
as a representative of Mount Ida College,

Defendants.

C.A. No. 1:18-cv-12438-RGS

BARRY BROWN'S MOTION TO DISMISS THE FIRST AMENDED COMPLAINT

Former Mount Ida College President Barry Brown ("President Brown") respectfully submits this Motion to Dismiss all counts of the First Amended Complaint asserted against him for failure to state any legally viable claim. Fed. R. Civ. P. 12(b)(6). As grounds for his motion, President Brown respectfully submits herewith his memorandum of law.

WHEREFORE, President Brown respectfully requests that the Court dismiss Plaintiffs' First Amended Complaint in its entirety as asserted against him, with prejudice and without leave to amend.

Respectfully submitted,

BARRY BROWN,

By his attorneys,

/s/ Howard M. Cooper

Howard M. Cooper, Esq. (BBO # 543842)
Elizabeth E. Olien, Esq. (BBO # 689350)
TODD & WELD LLP
One Federal Street, 27th Floor
Boston, MA 02110
Tel.: 617-720-2626
Fax: 617-227-5777
hcooper@toddweld.com
eolien@toddweld.com

Dated: January 28, 2019

CERTIFICATE OF SERVICE

I, Elizabeth E. Olien, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this 28th day of January, 2019.

/s/ Elizabeth E. Olien

Elizabeth E. Olien

Dated: January 28, 2019